

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION**

In Re:

CAH ACQUISITION COMPANY 6, LLC,
d/b/a I-70 Community Hospital,

Debtor.

Case No. 19-01300-5

Chapter 11

**DEBTOR'S EMERGENCY MOTION FOR AND CONSENT TO
APPOINTMENT OF CHAPTER 11 TRUSTEE**

The Debtor, by and through its proposed counsel of record, requests that the Court appoint Thomas W. Waldrep, Jr. as the Chapter 11 trustee in this case, pursuant to the provisions of 11 U.S.C. § 1104(a)(2). In support of this motion, the Debtor states as follows:

1. The Debtor filed its voluntary Chapter 11 petition on March 21, 2019.
2. The Debtor owns and operates a critical access hospital in Sweet Springs, Missouri.
3. Pending in this Court is the involuntary Chapter 7 bankruptcy case of the Debtor's related and affiliated entity, CAH Acquisition Company # 1, LLC, d/b/a Washington County Hospital (case no. 19-00730-5-JNC), filed on February 19, 2019 and subsequently converted to a Chapter 11 on March 15, 2019; as well as the voluntary Chapter 11 cases of CAH Acquisition Company #3, LLC, d/b/a Horton Community Hospital (case no. 19-01180-5-JNC), filed on March 14, 2019; CAH Acquisition Company 16, LLC, d/b/a Haskell County Community Hospital (case No. 19-01227-5), filed on March 17, 2019; CAH Acquisition Company #4, LLC, d/b/a Drumright Regional Hospital (case no. 19-01228-5) filed on March 17, 2019; CAH Acquisition Company 12, LLC, d/b/a Fairfax Community Hospital (case no. 19-01229-5); CAH

Acquisition Company # 2, LLC, d/b/a Oswego Community Hospital (case no. 19-01230-5) filed on March 17, 2019. Mr. Waldrep has been appointed as the trustee in these previously filed cases and continues to serve in that capacity.

4. The Debtor is one of ten (10) hospitals (including Washington County Hospital, Horton Community Hospital, Haskell County Community Hospital, Drumright Regional Hospital, Fairfax Community Hospital, and Oswego Community Hospital) (collectively, the “CAH Hospitals”) with common ownership and integrated management through a related entity, iHealthcare, Inc. Each of the CAH Hospitals is owned by Health Acquisition Company, LLC (80% interest) and HMC/CAH Consolidated, Inc. (20% interest). Mr. Waldrep, as interim trustee in the related CAH Hospital cases, continues to utilize iHealthcare, Inc. in the management of the hospital.

5. Several of the CAH Hospitals are currently the subject of state court receiverships in other states in which receivers have been appointed at the request of creditors or other parties in interest. As a result of the appointment of the receivers, significant amounts of cash and anticipated revenues for the CAH Hospitals are unavailable to fund the ongoing operations of the CAH Hospitals.

6. In light of the deteriorating financial and operational status of the Debtor (and the other CAH Hospitals), the Debtor has determined that it is the best interests of the Debtor, its creditors, and other parties in interest (including patients) for Mr. Waldrep to also be appointed as the Chapter 11 trustee in the Debtor’s case, subject to the Court’s approval. Therefore, the Debtor requests and consents to the immediate appointment of Thomas W. Waldrep, Jr. as Chapter 11 trustee in this case, pursuant to § 1104(a)(2) of the Bankruptcy Code.

7. Counsel for the Debtor has conferred with Mr. Waldrep about his appointment as the trustee in this case, and Mr. Waldrep has agreed to such appointment.

WHEREFORE, the Debtor consents to and requests that the Court appoint Thomas W. Waldrep, Jr. as the Chapter 11 trustee in this case on an emergency, *ex parte* basis pending notice and hearing to the extent required by the Court pursuant to § 1104(a) of the Bankruptcy Code.

Dated: March 21, 2019

/s/ Rayford K. Adams III

Rayford K. Adams III (NC Bar No. 8622)
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **DEBTOR'S EMERGENCY MOTION FOR AND CONSENT TO APPOINTMENT OF CHAPTER 11 TRUSTEE** was filed electronically in accordance with the local rules and was served upon those listed in Exhibit A on the date set forth by first class mail or by electronic service through CM/ECF.

Dated: March 21, 2019

/s/ Rayford K. Adams III

Rayford K. Adams III (NC Bar No. 8622)
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EXHIBIT A

VIA CM/ECF / E-MAIL		
Marjorie K. Lynch 434 Fayetteville St. Suite 640 Raleigh, NC 27601 <i>Bankruptcy Administrator</i>	Terri L. Gardner Nelson Mullins Riley & Scarborough, LLP 4140 Parklake Avenue, Suite 200 Raleigh, NC 27612 <i>Counsel for Petitioning Creditors</i>	Katherine M. McCraw Assistant Attorney General N.C. Department of Justice Post Office Box 629 Raleigh, NC 27602-0629 <i>Counsel for NC DHHS/DHB</i>
Thomas W. Waldrep, Jr. Waldrep LLP 101 S Stratford Road, Suite 210 Winston-Salem, NC 27104 <i>Trustee</i>		
VIA U.S. MAIL		
CAH Acquisition Company 6, LLC c/o Corporation Service Company, 251 Little Falls Drive Wilmington, DE 19808	Cayenne Medical, Inc. 16597 N 92 nd Street Scottsdale, AZ 85260	Cigna Healthcare 231 S Bemiston Avenue Saint Louis, MO 63105
Boyce & Bynum Pathology Lab PO Box 7406 Columbia, MO 65205	iHealthcare, Inc. 3901 NW 28 th Street 2 nd Floor Miami, FL 33142	Saline County Collection- Cindi A. Sims 19 E Arrow Street Marshall, MO 65340
Community Blood Center 4040 Main Street Kansas City, MO 64111	CPP Wound Care #25 , LLC 210 NE Tudor Road Lees Summit, MO 64086	First Liberty 9601 N May Avenue Oklahoma City, OK 73120
HERC 21900 East 96 th Street Broken Arrow, OK 74014	I.T.S. USA 1778 Park Avenue Suite 200 Maitland, Florida 32751	J&J Health Care Systems 425 Hoes Lane Piscataway, NJ 08854
LGMC, LLC 11063 D.S. Memorial Suite 483 Tulsa, OK 74133	Missouri Network Alliance, LLC 2005 W Broadway, Suite 215 Building A Columbia, MO 65203	McKesson Medical Surgical, Inc. PO Box 933027 Atlanta, GA 31193

Medline Industries, Inc. Three Lakes Drive Northfield, IL 60093	Primeforce Medical Corp 10456 Chandler Road La Vista, NE 681285	Rural Community Hospitals Of America Attn: Steven F. White 700 Chappell Road Charleston, WV 25304
Quality Systems, Inc. 1101 Menzler Road Nashville, TN 37210	Reboot, Inc. PO Box 775535 Chicago, IL 60677	Shared Medical Services, LLC 209 Limestone Press Pass Cottage Grove, WI 53527